

RECEIVED FOR FILING
DATE 4/23/92
BY [Signature]

PETITION FOR RESIDENTIAL VARIANCE BEFORE THE
BALTIMORE COUNTY ZONING COMMISSIONER
1105 Concordia Drive, 281' S of
the c/l of Kirkcolum Road
9th Election District - 6th Councilmanic District
Case No. 92-353-A

REASONS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a
Petition for Administrative Variance in which the Petitioners request
relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations
(B.C.Z.R.) to permit a side yard setback of 7 feet in lieu of the required
11.25 feet for an open carport in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance
and the subject property having been posted and there being no requests
for public hearing, a decision shall be rendered based upon the documenta-
tion presented.

The Petitioners have filed the supporting affidavits as required
by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the
information available, there is no evidence in the file to indicate that
the requested variances would adversely affect the health, safety or gener-
al welfare of the public and should therefore be granted. In the opinion
of the Deputy Zoning Commissioner, the information, pictures, and affida-
vits submitted provide sufficient facts that comply with the requirements
of Section 1807.1 of the B.C.Z.R. Furthermore, strict compliance with the
B.C.Z.R. would result in practical difficulty and/or unreasonable hardship
upon the Petitioners.

ORDER RECEIVED FOR FILING
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BY [Signature]

Pursuant to the posting of this property and the provisions of
both the Baltimore County Code and the B.C.Z.R. having been met, and for
the reasons set forth above, the relief requested should be granted.

WHEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for
Baltimore County this 22nd day of April, 1992 that the Petition for
Administrative Variance from Section 1802.3.C.1 of the Baltimore County
Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 7 feet in
lieu of the required 11.25 feet for an open carport in accordance with
Petitioner's Exhibit 1, in accordance with Petitioner's Exhibit 1, be and
is hereby GRANTED, subject, however, to the following restrictions which
are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The proposed carport shall remain open on the three exposed sides and is limited to the size and dimensions as depicted on Petitioner's Exhibit 1.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY W. KUTROCO
Deputy Zoning Commissioner
for Baltimore County

Suite 111, Courthouse
400 Washington Avenue
Towson, MD 21204

April 23, 1992

(410) 887-1386

Mr. Frank W. Carman
1105 Concordia Drive
Towson, Maryland 21204

RE: PETITION FOR RESIDENTIAL VARIANCE
W/S Concordia Drive, 281' S of the c/l of Kirkcolum Road
(1105 Concordia Drive)
9th Election District - 6th Councilmanic District
Frank W. Carman - Petitioner
Case No. 92-353-A

Dear Mr. Carman:

Enclosed please find a copy of the decision rendered in the
above-captioned matter. The Petition for Residential Variance has been
granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavor-
able, any party may file an appeal to the County Board of Appeals within
thirty (30) days of the date of this Order. For further information on
filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

[Signature]
TIMOTHY W. KUTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

[Signature]

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat
attached hereto and made a part hereof, petition for a Variance from Section 1802.3.C.1

To Permit A Side Yard Setback of 7 ft in lieu
of the Required 11.25 ft in accordance with
the Zoning Regulations of Baltimore County for the following reasons: (attach hereby or present affidavit)
To protect my vehicle from the elements by
building a carport

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to
and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for
Baltimore County.

Contract Purchaser:

(Type or print name)

(Signature)

Address

City

State

Zip Code

Attorney for Petitioner:

(Type or print name)

(Signature)

Address

City

State

Zip Code

I/we do solemnly declare and affirm, under the penalties of perjury,
that I/we are the legal owner(s) of the property which is the subject
of this petition.

Legal Owner(s):

(Type or print name)

(Signature)

(Type or print name)

(Signature)

Address

City

State

Zip Code

Phone

Address

City

State

Zip Code

Phone

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED
by the Zoning Commissioner of Baltimore County, this day of April, 1992, that the subject matter of this petition
be set for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general
circulation throughout Baltimore County, and that the property be reposted.

ORDER RECEIVED FOR FILING

Date 4/23/92

By [Signature]

ESTIMATED POSTING DATE: ESTIMATED CLOSING DATE:



ZONING COMMISSIONER OF BALTIMORE COUNTY

Item # 381

**AFFIDAVIT
IN SUPPORT OF ADMINISTRATIVE VARIANCE**

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to
testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do/does presently reside at: 1105 Concordia Drive
Towson, Md 21204

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative
Variance at the above address: (attach hereby or present affidavit)
There is a hardship or practical difficulty
as I just want to continue my existing
driveway up into a carport. So as to protect
my vehicle from direct contact with the
elements

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and
may be required to provide additional information.

[Signature]
FRANK W. CARMAN
Type or print name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 10 day of March, 1992, before me, a Notary Public of the State
of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law
that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.
March 10-92

My Commission Expires: 11/1/92

**ZONING DESCRIPTION FOR 1105 Concordia Drive
(Address)**

Beginning at a point on the north side of (name of
(north, south, east or west) street) which is 24' - 50' S of
Concordia Drive (number of feet of right-of-way
street on which property fronts) 281' - 00' south
24' wide at the distance of (number of feet) (north, south, east or
width) of the centerline of the nearest improved intersecting street Kirkcolum
(name of
west) which is 24' - 50' S of (name of
street) (number of feet of right-of-way width) Also known as
1113 Block (E), Section 11.1 in the subdivision of MINEBANK (name of
subdivision) as recorded in Baltimore County Plat Book #251, Folio 1050.
containing 20,600.00 sq/ft .47 acres. Also known as
(number of total square feet or acres in lot)
1105 Concordia, and located in the 9th Election District.
(property address)

**CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland**

District 9th
Posted for: 1105 Concordia Drive, 281' S of Kirkcolum Rd.
Petitioner: Frank W. Carman
Location of property: 1105 Concordia Drive, 281' S of Kirkcolum Rd.
Location of Sign: 1105 Concordia Drive, 281' S of Kirkcolum Rd.
Remarks: [Signature]
Posted by: [Signature]
Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-4190
Number

Date

Cashier Validation

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-4190
Number

Date

111 West Chesapeake Avenue
Towson, MD 21204

March 27, 1992

(410) 887-3353

Frank W. Carman
1105 Concordia Drive
Towson, Maryland 21204

COPY

Re: CASE NUMBER: 92-353-A
LOCATION: W/S Concordia Drive, 281' S of c/l Kirkcolum Road
1105 Concordia Drive
9th Election District - 6th Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case
number. Any contact made with this office should reference the case number. This letter also serves as a
reaffirmation regarding the administrative process.

1) Your property will be posted on or before April 5, 1992. The closing date is April 20, 1992. The
closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing
date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an order will
issue. This order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the
matter be set in for a public hearing. You will receive written notification as to whether or not your
petition has been granted, denied, or will go to public hearing.

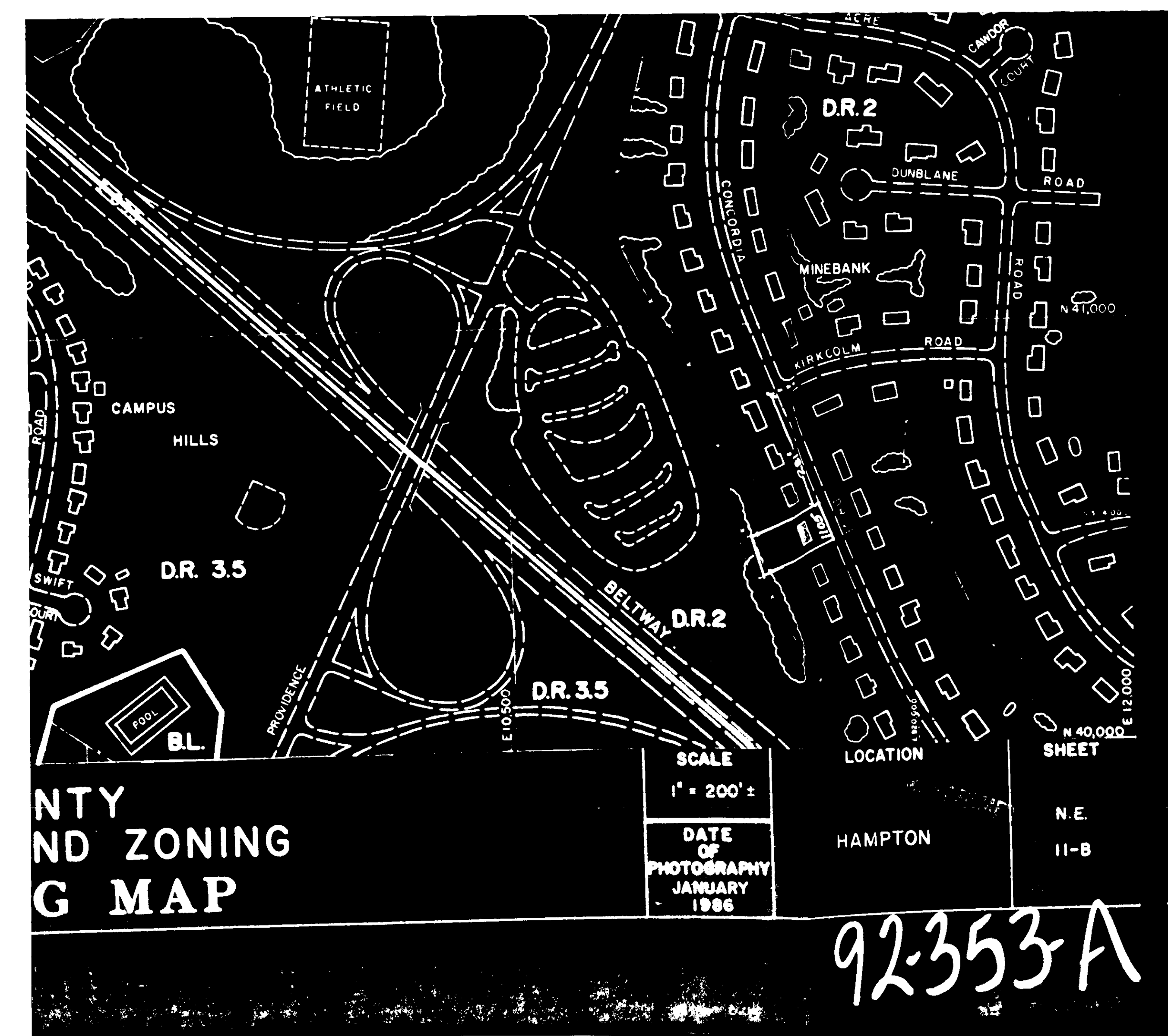
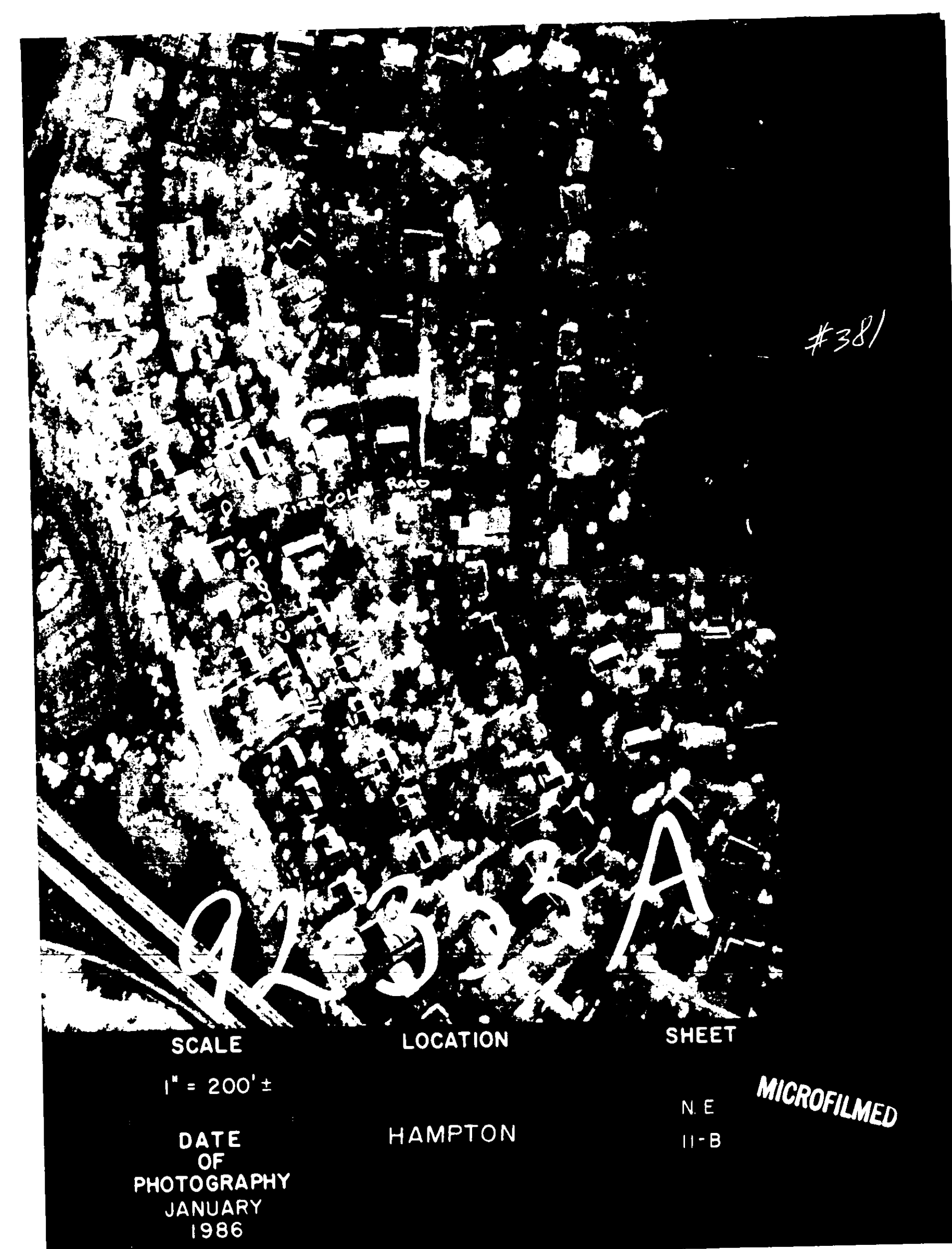
2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the
Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers.
Charges related to the reposting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after
the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE
PROCESS IS NOT COMPLETED. THE FILE MUST GO THROUGH FINAL REVIEW AND
THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE
FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR
DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

cc: Lawrence Goss

Lawrence E. Schmidt
Zoning Commissioner, Baltimore County



#381